

### **REMARKS**

These remarks and the accompanying amendments are responsive to the Office Action mailed November 3, 2004 (hereinafter referred to as "the Office Action") having a shortened statutory period for response that expired on February 3, 2005. A petition and fee for a one-month extension of time accompany this response thereby extending the period for response until March 3, 2005.

At the time of the last examination, Claims 1-80 were pending for consideration by the Examiner. By this amendment, Claims 2-4, 8, 9, 15-24, 27-29, 33, 34, 40-49, 52, 53, and 55-80 are cancelled, and new Claims 81-99 are added. Accordingly, upon entry of this amendment, Claims 1, 5-7, 10-14, 25, 26, 30-32, 35-39, 50, 51, 54 and 81-99 will be pending for further consideration by the Examiner. Of these remaining claims, all of the independent Claims 1, 26, 51 and 54 are currently amended. In addition, dependent claims 5, 6, 30, 31 and 50 are also currently amended. Claims 7, 11-13, 32 and 36-38 are original. Claims 10, 14, 35 and 39 are previously presented.

Section 2 of the Office Action objected to the Abstract of the Disclosure section of the patent application is containing more than 150 words. The Abstract of the Disclosure section is amended herein to contain 150 words or less.

Section 3 of the Office Action objects to an alleged informality in the disclosure at page 6, line 17. In particular, the Office Action suggests that "background noise)" be amended to read "background noise", thereby apparently objecting to the right parenthesis ")". However, the use of this right parenthesis is grammatically correct, as the right parenthesis corresponds to the left parenthesis found at page 6, line 12 of the disclosure. Accordingly, the Applicants' respectfully submit that correction is not necessary.

Section 5 of the Office Action objects to Claims 5-7, 10-18, 21-24, 30-32, 35-43, and 46-49 as allegedly being in improper multiple dependent form. In particular, the Office Action indicates that these claims should claim multiple dependency in the alternative. This objection is moot with respect to cancelled Claims 15-18, 21-24, 40-43, and 46-49, but remains with respect to Claims 5-7, 10-14, 30-32, and 35-39.

However, in the preliminary amendment filed with the application dated February 21, 2001, Claims 10, 14, 35 and 39 were amended to remove the multiple dependency with respect to those claims. Furthermore, Claims 11-13 appear objected to solely due to direct or indirect dependency from the amended Claims 10. Also, Claims 36-39 appear objected to solely due to direct or indirect dependency from the amended Claim 35. Accordingly, the objection is certainly not valid with respect to Claims 10-14 and 35-39.

With respect to Claims 5-7 and 30-32, the issue seems to be the statement of multiple dependency in Claims 5 and 30. However, these claims do properly state multiple dependencies in the alternative. Wording like that used in Claim 5 and 30 is even presented as an example of proper multiple dependent claim wording in the Manual of Patent Examining Procedure (MPEP) (see MPEP 608.01(n)(I)(A) on page 600-75). Therefore, the objection of section 5 appears not to be valid, and thus the Applicants' respectfully submit that all claims are suitable for examination.

Section 6 of the Office Action objects to the phrase "said decision result" in several claims and suggests amendment to "a decision result". This amendment has been made herein in the appropriate claims, where the claims have not been cancelled herein.

Section 7 of the Office Action objects to the phrase "the maximum likelihood decoding" in several claims and suggests amendment to "a maximum likelihood decoding". This

amendment has been made herein the appropriate claims, where the claims have not been cancelled herein.

Section 8 of the Office Action objects to the phrase "the obtained maximum likelihood difference" in several claims and suggests amendment to "an obtained likelihood difference". The relevant claims have been cancelled herein thereby rendering this objection moot.

Section 9 of the Office Action objects phrasing in Claim 45, which is cancelled herein, thereby also rendering the objection moot.

Section 11 of the Office Action rejected Claims 9, 20, 25, 34, 45, 50 and 61-80 under 35 U.S.C. 102(e) as being anticipated by United States patent number 6,108,384 (hereinafter referred to as "Okumura") issued to Okumura et al. This rejection is moot with respect to cancelled Claims 9, 20, 34, 45 and 61-80, but remains with respect to Claims 25 and 50.

Claim 25 is amended to depend, directly or indirectly, from Claim 1. The Office Action indicated that the prior Claim 1 was allowable if rewritten to overcome the objection. Claim 1 is so rewritten. However, Claim 1 is also further amended with some broadening aspects, and some narrowing aspects. Nevertheless, the Applicant's respectfully submit that the amended Claim 1 remains patentable over the cited art. Therefore, Claim 25, which depends from Claim 1, is likewise patentable over the cited art for at least the same reasons as Claim 1.

Claim 50 is amended to depend, directly or indirectly, from Claim 26. The Office Action indicated that the prior Claim 26 was allowable if rewritten to overcome the objection. Claim 26 is so rewritten. However, Claim 26 is also further amended with some broadening aspects, and some narrowing aspects. Nevertheless, the Applicant's respectfully submit that the amended Claim 26 remains patentable over the cited art. Therefore, Claim 50, which depends from Claim

26, is likewise patentable over the cited art for at least the same reasons as Claim 26. Therefore, the withdrawal of the 35 U.S.C. 102(e) rejection of Claims 25 and 50 is respectfully requested.

Section 12 of the Office Action rejected Claim 51 under 35 U.S.C. 102(e) as being anticipated by United States patent number 6,272,187 (hereinafter referred to as "Rick") issued to Rick. In the present invention of Claim 51, a transmitter calculates an error-detecting code of variable length transmitted data, frame by frame, and if the number of bits of the transmitted data is zero, the transmitter considers a previously-specified bit pattern to be the error-detecting code. Rick does not describe, teach or suggest this feature. Accordingly, withdrawal of the 35 U.S.C. 102(e) rejection of Claim 51 is respectfully requested. Incidentally, Okumura also does not describe, teach or suggest this feature.

Therefore, favorable action is respectfully requested. In the event that the Examiner finds remaining impediment to a prompt allowance of this application that may be clarified through a telephone interview, the Examiner is requested to contact the undersigned attorney.

Dated this 28<sup>th</sup> day of February, 2005.

Respectfully submitted,



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